

REMARKS

In the May 21, 2007 Office Action, the Examiner withdrew the prior rejections, apparently withdrew the prior indications that claims 6, 8 and 10 would be allowable if re-written in independent form, and issued new rejections of pending claims 1-65. Applicants respectfully thank the Examiner for withdrawing the prior rejections. In the Office Action, the Examiner rejected claims 1-36 and 56-65 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,467,403 to Fishbine et al. and rejected claims 37-52 under 35 U.S.C. §103 as being obvious over Fishbine et al. in view of U.S. Patent No. 6,320,974 to Glaze et al. Applicants respectfully traverse the Examiner's rejections of the pending claims.

The Examiner's rejections based upon Fishbine et al. are not understood. The Examiner states that Fishbine et al. discloses "a document scanner (fig 1, 12)..." Fishbine et al., however, very clearly states that item 12 in Fig. 1 is a fingerprint scanner rather than a document scanner: "Finger print scanner 12 consists of a finger prism 14 and a scanning camera 18." Col. 3, lines 36-37. Fishbine et al. reiterate that they are disclosing a "live" fingerprint scanner numerous times. For example, at col. 1, lines 10-15, Fishbine et al. state that "[t]he present invention relates to apparatus for the live scanning of fingerprint images" (col. 1, lines 10-15). See also, col. 5, lines 20-25.

The present application distinguishes between document scanners and fingerprint scanners in numerous places, including but not limited to paragraphs [0024], [0025], [0027], [0030], [0034], [0035] and [0041]. Nowhere in Fishbine et al. is there a disclosure of a combination including a document scanner such as is recited in the pending claims. In fact, this deficiency of Fishbine et al. becomes especially conspicuous with respect to the Examiner's rejections of claim 12, and several dependant claims, that recite both a document scanner and a fingerprint scanner. The Examiner points to item 12 in Fig. 1 of Fishbine et al. as corresponding to the claimed fingerprint scanner and points to item 20 in Fig. 1 as

corresponding to the claimed document scanner. Item 1 in Fig. 1 of Fishbine et al., however, is a video camera. The Examiner's rejection of dependant claim 7 similarly is very telling, because the Examiner points to items 12 and 18 as the fingerprint scanner and to item 12 as the document scanner. Item 18 in Fig. 1 of Fishbine et al. is part of item 12. Item 12 is not and cannot be both the document scanner and fingerprint scanner.

The distinction between a fingerprint scanner or video camera and a document scanner is an important one. Both the video camera and fingerprint scanner of Fishbine et al. capture biometric data that can be compared to various databases. A system having both a fingerprint scanner and a camera obviously provides an extra level of security being a system having just a camera or just a fingerprint scanner because it allows comparison to databases of both facial images and fingerprints. The inclusion of a document scanner, however, provides a totally different added level of security. Specifically, the combination of a camera and document scanner permits comparison of the image taken by the camera to databases of facial images as in prior systems, but the document scanner also permits comparison of the new facial image taken by the camera to a facial image on an ID such as a passport or driver's license. The functionality that was not present in prior systems is described in the specification of the present application at, for example, paragraphs [0034] and [0041]. Simply put, the device of the present invention provides vastly better security than prior systems because it is not entirely reliant upon databases of facial images or fingerprints, but rather, it may use those databases and information on ID's currently presented by an individual.

With respect to the Examiner's obviousness rejections under 35 U.S.C. §103, Glaze et al. adds nothing to the Fishbine et al. for the reasons stated in Applicants response to the prior Office Action.

As noted above, Applicants respectfully request a one-month extension of time with respect to the filing of this response and have paid for such extension through the USPTO electronic filing system. If any other fees are due in connection with the Application, including any additional necessary extension of time, such fees may be charged to Deposit Account 50-2837.

Respectfully submitted,

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